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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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<b>2001 Senate Bill 43</b>	<b>Senate Substitute Amendment 1</b>
<i>Memo published: April 30, 2001</i> <i>Contact: Joyce L. Kiel, Senior Staff Attorney (266-3137)</i>	

**Current law** establishes a mechanism to deal with an unpaid parking ticket issued to a motor vehicle that is rented or leased. The authority that issues the ticket (typically a local police department) notifies the rental or leasing company that owns the vehicle (owner) that there is an unpaid parking ticket. The owner then is asked to provide the authority with the renter's or lessee's name, address, and driver's license information from its records. The information must be submitted within 10 days after the second notice is sent to the owner. The authority then attempts to collect the forfeiture amount by sending at least two notices to the renter or lessee.

If the authority is unsuccessful in collecting, that is, if there is no payment or appearance in court within 30 days of mailing the second notice to the renter or lessee, the authority notifies the owner. The owner is then liable for: (1) 50% of the forfeiture amount; and (2) the cost for using the traffic violation and registration program established by the Department of Transportation (DOT) if the cost is assessed by the authority. (If the owner pays and the renter or lessee subsequently pays, the authority must refund the forfeiture payment made by the owner.) If the owner does not pay 50% of the forfeiture within 30 days after receiving this notice, the authority may send a notice to DOT to suspend the registration of that vehicle. The authority may also notify DOT to refuse to register any motor vehicle owned by the renter or lessee.

**Substitute Amendment 1 to 2001 Senate Bill 43** makes the following changes to current law:

- Provides that the liability of the owner of a rented or leased vehicle for an unpaid parking ticket is 50% of the forfeiture, but not the cost, if any, for using the DOT traffic violation and registration program.

- Eliminates the liability of the owner of a rented or leased vehicle for 50% of the forfeiture if the authority did not mail a notice to the owner within one year of the date the parking ticket was issued informing the owner of its responsibility for payment.
- Prohibits the authority from sending notice to DOT to suspend the registration of that rented or leased vehicle if at least one year has elapsed since the citation was issued and notice to the owner of its liability for 50% of the forfeiture has not been mailed to the owner within that time period. (This prohibition applies only if the owner provides the information about the renter's or lessee's name, address, and driver's license to the authority that issued the citation within 10 days after the second notice was sent to the owner.)
- Specifies that the provision in current law that provides that notification to DOT about an unpaid parking ticket temporarily suspends any applicable statute of limitations for four years from the date of the notification does not apply to a citation issued to the owner of a rented or leased vehicle if the owner provides the required information about the renter or lessee to the authority in a timely manner. This means that, in such a case, the statute of limitations may run more quickly for the owner of a rented or leased vehicle than for others.

The Senate Committee on Insurance, Tourism, and Transportation introduced and adopted Senate Substitute Amendment 1 on a vote of Ayes, 5, Noes, 0, and recommended the bill, as amended, for passage on a vote of Ayes, 5, Noes, 0. Senate Substitute Amendment 1 to Senate Bill 43 is identical to 2001 Assembly Bill 166.

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